



# **Town of New Windsor**

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## **OFFICE OF THE PLANNING BOARD**

**WEDNESDAY — AUGUST 11, 2004 - 7:30 PM**

### **TENTATIVE AGENDA**

**CALL TO ORDER**

**ROLL CALL**

#### **ANNUAL MOBILE HOME PARK REVIEW:**

- a. **WINDSOR ENTERPRISES MOBILE HOME PARK – CAESARS LANE**

#### **PUBLIC HEARINGS:**

1. **NEW WINDSOR DELI (04-15) CORNER UNION AVE. & RT. 300 (BONURA)**  
Proposed addition for storage at existing Deli with caretaker's apartment.

#### **REGULAR ITEMS:**

2. **STELLA WAY SUBDIVISION (03-08) SCHIAVONE ROAD (SANDOR)**  
Proposed 3-lot residential subdivision.
3. **59 WINDSOR HIGHWAY (04-18) WINDSOR HIGHWAY (BL COMPANIES)**  
Proposed conversion of former Devitts building to medical offices.

#### **DISCUSSION**

4. **GUARDIAN SELF STORAGE (03-24) Retaining Wall.**

#### **ADJOURNMENT**

**(NEXT MEETING – SEPTEMBER 8, 2004)**

TOWN OF NEW WINDSOR

PLANNING BOARD

AUGUST 11, 2004

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
RON LANDER  
JERRY ARGENIO  
THOMAS KARNAVEZOS  
NEIL SCHLESINGER

ALTERNATES: ERIC MASON  
DANIEL GALLAGHER

ALSO PRESENT: MICHAEL BABCOCK  
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.  
PLANNING BOARD ATTORNEY

MYRA MASON  
PLANNING BOARD SECRETARY

ABSENT: MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

REGULAR MEETING

MR. PETRO: I'd like to call the August 11, 2004  
meeting of the New Windsor Planning Board to order.  
Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

PUBLIC HEARINGS:

NEW WINDSOR DELI (04-15)

Mr. Joseph Bonura appeared before the board for this proposal.

MR. PETRO: The application proposes small addition for a walk-in cooler and storage as well as caretaker apartment on the second floor. The plan was previously reviewed at the 14 July, 2004 planning board meeting is before the board for a public hearing at this meeting. PI zone, Historic corridor, the deli use is pre-existing, non-conforming use. Caretaker apartment is a special use in this zone and that's the reason for the public hearing.

Mr. Bonura, do you have anything you want to add to the last time you were here which I believe was only a couple weeks ago?

MR. BONURA: We made some changes that the engineer wanted us to do. We changed the bulk table and there was some speed bumps that we thought were a hazard and we took them off the plan. Also we propose a site for a free-standing sign towards the, in the corner of the parking lot there on our property, pylon sign there, we don't have the details of it yet but that would be the location. And I understand we go for a separate building permit for that.

MR. PETRO: That was basically the only changes, the one was requested by our engineer, right, so you just complied?

MR. BONURA: Just complied.

MR. PETRO: Twenty-one percent increase in the footprint and a 30 percent increase is permitted by law so you're well within your rights to ask for the increase in the non-conformance zone. Do any of the

members have any other questions before I open it up to the public?

MR. SCHLESINGER: I have a question, Joe, you just may want to look at your handicapped parking spaces on the plans, I think according to the numbers it works but in practicality without going out with the tape measure and everything I drive by every day and I have friends that drive vans and just looks as if it's going to be hard for them to get in and out of those parking spaces. And I have absolutely no problem relocating those and using those parking spaces for regular customers, I don't know, Jim, you and I were talking about it 200 feet or something?

MR. PETRO: To the front door.

MR. SCHLESINGER: You can put two handicapped parking spaces anywhere else, I just think that those two in the area could just use a little attention.

MR. BONURA: If they don't fit we'll relocate them.

MR. SCHLESINGER: According to the numbers it fits, you understand what I'm saying but you may want to take another look at it.

MR. PETRO: On the 27th day of July, 2004, 25 addressed envelopes containing the public hearing notice were mailed out. If someone is here who'd like to speak for or against or just make a comment on this application be recognized by the Chair, come forward, state your name and address there. Anyone who'd like to speak? Chair says I recognize there's no one here to speak so I'll entertain a motion to close.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the New Windsor Deli site plan on Route 300 and Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'll reopen this application to the board for further comment. We have fire approval on 7/14/2004. Make a motion for negative dec.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Bonura site plan on 300 and Union Avenue. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I think he has addressed both of Mark's comments and frankly, I don't think that the planning board has anything left to do with this application. I think Joe from here you're going to get involved with

the building department, whether it's fire escapes, whatever it may need, you're going to talk to Mike so I think you're really done here. You did a good job.

MR. ARGENIO: Make a motion for final approval for New Windsor Deli site plan on Route 300 and Union Avenue.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the New Windsor Deli on the corner of Union Avenue and Route 300. Is there any further comment from board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

ANNUAL MOBILE HOME PARK REVIEW:

WINDSOR ENTERPRISES MOBILE HOME PARK

MR. PETRO: Windsor Enterprises Mobile Home Park which you're going to do, I own 50% of that particular site so I will not vote. Jerry, if you can just read this in.

MR. ARGENIO: Windsor Enterprises Mobile Home Park. Somebody here to represent this?

MR. PETRO: Mike is going to do it.

MR. ARGENIO: Mike, any other problems at the Windsor Enterprises Mobile Home Park?

MR. BABCOCK: There's a couple comments but I've got to tell you that the copy machine must be, I can't read them for some reason here, I'll get a better copy for the applicant. We can forward a copy. We have no problem.

MR. ARGENIO: I have this, junk vehicles and some weeds and vegetation near home 2, I trust you can get this remedied?

MR. PETRO: Yes.

MR. ARGENIO: Did you bring a check for \$100?

MR. PETRO: Myra's all set.

MR. ARGENIO: Anything else you want to discuss on this application? I will put to it a vote. I need a motion for one year extension, please.

MR. KARNAVEZOS: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board grant one year extension for the Windsor Enterprises Mobile Home Park. If there's no further discussion, I will put it to a vote.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE



REGULAR ITEMS:

STELLA WAY SUBDIVISION (03-08)

MR. PETRO: Proposed 3 lot residential subdivision. Somebody here to represent this?

Mr. James Clearwater appeared before the board for this proposal.

MR. PETRO: Application proposes subdivision of two existing parcels into 3 single family lots. Plan was previously reviewed at the 26 March 2003, 11 June, 2003 and 27 August, 2003 planning board meetings.

MR. CLEARWATER: My name is James Clearwater, I'm a land surveyor with MJS engineering. I'm here with the applicant, Mr. Kenny Gass with Cherry Valley Builders. As the Chairman correctly stated, this is a 3 lot subdivision of 5.3 acres. Plan was previously reviewed by the board some time ago. Since then, we have made some slight changes to the plan, lot layout remains the same, road location remains the same, we did eliminate a large retaining wall that ran along the westerly side of the private road in favor of grading, much better location and much better project. Basically, the project remained the same, otherwise the lot configurations, houses are in the same location, of course, it's a public sewer project with wells, I know the Town engineer had several comments. I looked at his list, it didn't seem to be anything onerous and we'll address those comments. I'd be happy to answer any questions you may have.

MR. PETRO: There's about ten comments from Mark, there's a lot going on here. I would suggest that you take a copy of Mark's comments. Mike, do you have a copy?

MR. BABCOCK: I gave them to him tonight, Mr. Chairman.

MR. PETRO: Why don't you address them and we'll see you in a couple weeks. It's just too much to go on here. Some of them I'm not going to address, you just have to do it.

MR. CLEARWATER: Oh, yeah, I don't have a problem with any of them.

MR. PETRO: Did we have lead agency coordination letter sent out on this?

MS. MASON: Yes, it was.

MR. PETRO: Has 30 days elapsed?

MS. MASON: Yes, sent out March of 2003.

MR. PETRO: Did we get any response?

MS. MASON: Wait a minute, that's not right, it went out June of 2003. No, there was no response.

MR. PETRO: I'll entertain a motion for lead agency.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Stella Way subdivision on Chiavone Road. any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE

MR. ARGENIO                    AYE  
MR. PETRO                    AYE

MR. PETRO: Anything that you want to ask the planning board or any concerns on any of the comments?

MR. CLEARWATER: They seem fine.

MR. PETRO: We'll see you next time then.

MR. KRIEGER: With respect to the private road maintenance agreement, give this to your attorney and he can contact me because I will have to approve the form anyway.

MR. CLEARWATER: Right, okay, very good. Thank you.

59 WINDSOR HIGHWAY (04-18)

Mr. Ari Straus and Mr. Timothy O'Brien appeared before the board for this proposal.

MR. PETRO: Application involves change in use from the former Devitt's retail use to proposed professional medical use office and the plan is reviewed on a concept basis only. The change in use upgrade in the parking lot and site improvements, critical item of the site is the parking. I will tell you before I even get into all that and don't get too much into the parking tell us what you want to do, just bring the rest of the board up to date.

MR. STRAUS: My name is Ari Straus. Mr. Chairman, members of the board, I run a medical company, we manage about three dozen physicians right now. The group is Oxford Medical Group which was renamed Access Medical Group. In the area we have eight physicians. By the end of this year we'll be at about 12. We have a location right now in Newburgh of about 7,000 square feet. We purchased the Devitt Garden Center which we hope to become the Devitt Medical Center to build some new medical spaces to expand where we're already busting at the seams in Newburgh right now. We have been in the Newburgh location for a few years.

MR. PETRO: Where Dr. Grant is now?

MR. STRAUS: On 372 Fullerton. So what we're proposing to do is take the majority of the physicians and services that we offer into the space and it will be sort of the central hub for everything that we're doing. Then we'll have some satellites in different areas but this will be the central area for Orange County for us.

MR. PETRO: Okay, Mike, this parking calculation, I wish Mark was here, I guess to clarify it, I'm sure you

know as much, we're treating the building as professional office and that's how you're coming up with the amount or all the parking that's required?

MR. BABCOCK: Medical office, yeah. If you remember a few weeks ago we had a project that was two doors up from this, the pool place that put an addition on their building and made the parking less non-conforming. So, therefore, we felt they didn't need a variance. In talking to these gentlemen in the hall, I felt that since they're changing the use of the building they must meet the current standards for parking for that building. Reading Mark's comments, Mark is saying there's no need for the ZBA referral. I have no reason to make him go to the zoning board but I, in my mind, that's the way we've always treated these applicants. You're changing the use from retail to medical office, you must meet the medical office standards for parking.

MR. LANDER: Which is numbers of?

MR. SCHLESINGER: Does it meet it?

MR. BABCOCK: No, it's currently how many short?

MR. O'BRIEN: The current plan actually out in the lobby when we got here we requested additional, this part of the building was going to be reserved for warehouse, we requested additional 2,300 square feet. With that additional 2,300 square feet as medical office space we'd be roughly I just calculated out we'd require 186 parking spaces. What we show on the plan is 160, we maximize the use of the lot which would be 26 spaces short, roughly 13.9%. The plan now shows it 8.6% less. If this was going to retail, this, if this site were retail and parking at the retail requirement you'd require 234 spaces, you'd be 74 spaces short or 31.6 so we're cutting it in half.

MR. BABCOCK: See there's two arguments and Mark is

saying that and in his third comment he's saying that the board should determine whether it needs a referral to the ZBA. So what Mark is saying is that if these gentlemen decide not to buy this building and it becomes retail they're 60 some spaces short. If they make it a medical office, they're 20 spaces short.

MR. PETRO: Andy?

MR. SCHLESINGER: It was retail before.

MR. BABCOCK: That's correct.

MR. PETRO: Andy, the planning board has the power to make that assumption that it doesn't need a variance?

MR. KRIEGER: Correct.

MR. PETRO: Listen, this site has been very hectic all the years that I've been going by it and I think that this is a great use for this site. I can't imagine somebody not liking what they're doing there, cleaning this place up and just having medical offices so close to home. I've talked to the Supervisor, he loves it, the Town Board loves it and I would not like to see them be put through the zoning board for a matter of 20 spaces is it?

MR. O'BRIEN: Twenty-six spaces.

MR. BABCOCK: Well, Jim, one thing that I discussed with them in the hallway is that our smaller doctor's offices within the Town definitely do not have enough parking, we have problems there all the time. The larger complexes like this since they're so large we never have a problem and quite honestly going to the zoning board or not doesn't change anything, doesn't change a thing, it doesn't, it is what it is.

MR. ARGENIO: I fully agree.

MR. PETRO: They're going to get the variance, they're still going to be 26 parking spaces short.

MR. BABCOCK: They've cramped parking spaces into every corner that they can.

MR. ARGENIO: So are we reviewing tonight just conceptually how do we feel about it and this issue in addition to that?

MR. BABCOCK: Yes.

MR. O'BRIEN: Anything else that you want to see on the site, you know, we have provided entrance into the site 30 feet wide, we're not doing any work within the DOT right-of-way, we're extending the curb once it crosses over the property line into the site creating a channel straight to the building, fire access straight across, we're going to eliminate the gate over here, widen the gate over by the railroad tracks and just parking.

MR. PETRO: Greenhouse is to be removed?

MR. O'BRIEN: Yes.

MR. SCHLESINGER: Propose any ambulatory services?

MR. KRIEGER: Before you leave the parking, there's one comment I have to make and that is in the event I realize this is just the beginning of this process, in the event that a site plan, the applicant should be aware in the event that site plan is approved here and with the parking as outlined the site will lose its pre-existing non-conforming use prior and it will now be reduced to whatever if there's still a level it's reduced to that so that's now your new ceiling, the old is history, gone forever.

MR. SCHLESINGER: Do you have any ambulatory services?

MR. STRAUS: We do plan to offer urgent care services on the weekends a few months after we first open.

MR. SCHLESINGER: Do you need a special area for that, for ambulances to come into the building?

MR. STRAUS: We don't because it's not considered urgent care, it's sort of minor weekend emergencies but not sort of a full fledged E.R.

MR. PETRO: Can I have a motion for lead agency?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the 59 Windsor Highway site plan amendment. Why is this an amendment?

MS. MASON: There's already a site there.

MR. PETRO: But it's a brand new application. Okay, well--

MR. BABCOCK: They may have taken the site plan that was existing and apparently Mark's seen that one and this one and seen they're amending the site plan, we can take that out, Mr. Chairman.

MR. PETRO: I don't think it's right myself.

MR. BABCOCK: We'll take it out and say site plan.

MR. LANDER: So moved.

MR. ARGENIO: Second it.



MR. PETRO: For lead agency for 59 Windsor Highway site plan former Devitt's site. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: What else do we want to look at on the plan? How about the layout of the overall plan? Gentlemen, any comment? We have fire approval on 8/11/2004 so evidently, he likes the way he has it set up with the existing curb cut on 32 and he has the side road on McArthur Avenue and Ruscetti Road. Is that correct?

MR. ARGENIO: Yeah, I think there's, I thought that that exit onto Ruscetti Road was either a no-left turn--

MR. O'BRIEN: There's the two exits out there, there's another one out there at the corner that we're closing off, that's the one you're probably referring to.

MR. LANDER: That's the dangerous one right there.

MR. ARGENIO: You're right, Ronny.

MR. PETRO: How about your question, you didn't ask it yet?

MR. ARGENIO: Want me to ask it?

MR. LANDER: Yes.

MR. ARGENIO: Where is the dumpster enclosure going to

go?

MR. O'BRIEN: Back in here, hide it behind the building.

MR. LANDER: It's going to be enclosed?

MR. O'BRIEN: Probably chain link fence.

MR. LANDER: With slats, we don't want to be able to see it. You're constructing a new building.

MR. PETRO: I have a better question. If I'm parked in the parking spot, how are you going to get to it?

MR. O'BRIEN: Well, these spaces are more or less reserved for the doctors and trash pickup for the building would be earlier in the morning before it actually opens.

MR. SCHLESINGER: That's what they tell you. What's in the space where you have right there at the end? That's not a parking spot there, right?

MR. O'BRIEN: That's not a parking spot, that allows for vehicles to turn around.

MR. PETRO: I can tell you what's going to happen, you probably know this better than I do, is that you're going to put you the dumpster back there, it will be back there for about a month, you're going to get ten phone calls they can't access it and you're going to get a call that they can't empty it so you're going to put it up in two or three parking spots. That's what's going to happen.

MR. O'BRIEN: We'll lose these two spaces and then do it that way if you're okay with it, now you're at 28 versus 26.

MR. PETRO: There's no other place on this site to put the dumpster?

MR. O'BRIEN: There's no real places for it. This area here is really reserved for air conditioning units, mechanical units.

MR. LANDER: We don't want it out front.

MR. O'BRIEN: Best place is to hide it back here.

MR. PETRO: I just, I understand the problem, I just think it's poor planning and what I just said is going to happen, it's not a matter of if and when, you're going to take it out of there.

MR. O'BRIEN: If you're okay we'll lose the two spaces.

MR. PETRO: I don't want to design it.

MR. ARGENIO: Figure that out, come up with something that works.

MR. PETRO: What about out the front, planning on putting a flag pole or something of that nature or some landscaping?

MR. O'BRIEN: This is basically just a first concept, this will all be landscaped, the existing landscaping will be redone, these islands will be landscaped.

MR. PETRO: Show us a landscaping plan.

MR. O'BRIEN: Yes.

MR. PETRO: And lighting plan.

MR. O'BRIEN: Yes.

MR. PETRO: And drainage, you have a large parking lot

here, show us where the drainage is going.

MR. O'BRIEN: Existing drainage.

MR. PETRO: Sheet flow all to the back of the property?

MR. O'BRIEN: Right now there's a drainage inlet here, it all sheet flows through this area, gets down to this basin, there's a series of basins right here and they go out. All we're going to do is raise the frames and grades, we're going to top coat the parking lot, there's going to be a little grading in the vicinity where they're tearing down the existing greenhouse just to make everything flush to grade.

MR. PETRO: Sidewalks in front of the building?

MR. O'BRIEN: Yes, well, this line here is a change from asphalt to concrete, this is existing, all we're going to do is clean up the site, top coat it, pave it, there's areas in the site where there's concrete, I guess pylons for greenhouses they're going to be removed, asphalt will be repaired and top coat it.

MR. ARGENIO: In the front of the building there will be a curb, sidewalks and some plantings?

MR. O'BRIEN: No curb. Currently what happens the site comes down and then the building, from the building you go towards the parking lot and if we put a curb, it's going to be back towards the building, that's the issue.

MR. LANDER: Bumper blocks.

MR. O'BRIEN: We can put those in. We're looking at different types of bollards with lights on them, concrete planters, space them out nicely through here.

MR. LANDER: Something to keep the cars away from the

front of the building.

MR. O'BRIEN: That's correct.

MR. PETRO: Directional flows and stop signs, interior arrows and all that kind of stuff.

MR. O'BRIEN: Yes, this was just to give you an idea of what the site's going to be like.

MR. PETRO: You'll work out something with the dumpster?

MR. O'BRIEN: Yes.

MR. PETRO: I think you have a flavor of the board that we're not going to be sending you to the zoning board so you can work under that assumption.

MR. LANDER: One more question, does it have to be called Devitt's Medical Center?

MR. O'BRIEN: Actually, they are thinking about doing that.

DISCUSSION

GUARDIAN SELF STORAGE (03-24)

Mr. Frank Riedl appeared before the board for this proposal.

MR. PETRO: Guardian Self Storage, retaining wall.

MR. RIEDL: Frank Riedl, Guardian Self Storage/Riedl properties. I know my appearance wasn't necessary tonight but I came anyway in case the board had any questions.

MR. PETRO: Looks like you took the top course down which we asked you to do.

MR. RIEDL: Yes, we're waiting for the top plate to come in, they removed the top course of the cement block and brought it around that you requested.

MR. PETRO: And the curbing in the front going to be put in place pretty soon?

MR. RIEDL: Yes.

MR. PETRO: Because you know the drainage problem that's coming out there. What happened in the back with your neighbor, anything change back there?

MR. RIEDL: Yeah, after we left the site, Herb Riedl stayed and spoke to the neighbor and they worked out the grading that the neighbor wanted so to my knowledge, the neighbor's satisfied, he was that day after we left.

MR. PETRO: We know that the--go ahead.

MR. LANDER: Question. The wall was too high?

MR. PETRO: The red wall, it's really not too high. What happened there is they went, it's the right height, they went higher with the block or the cement and shortened up the metal because they wanted it more secure on the side but the height is correct so Mike and I looked at it with Mark and decided as long as the height was correct the material used to get there was immaterial.

MR. BABCOCK: If they were to back a truck up there which they have, it's inexperienced drivers that are driving the trucks that go there, the only thing that would keep them on top of the retaining wall is the fence, they'd just go right off the retaining wall. The fence is not going to stop them so they made the retaining wall higher, put a smaller fence so, you know, the bumper would hit the wall and not go off the top.

MR. PETRO: We're talking about the red one, the heavy block ones in the front. It wasn't on the plan at all but in the field the grading was kind of tough there, it came down quickly so they felt they would put the wall up but they went a little too high, the neighbor complained saying it was being blocking off his sight distance, we looked at it and they agreed to take the top course off, bring it around the front and give him a little access to the back that he needed and it worked out as far as the planning board was concerned whether they had the little wall there, I didn't see it as a major, it was on their property.

MR. ARGENIO: Who is the manufacturer of the pre-cast block?

MR. RIEDL: I don't know, they're called Terra-crete block.

MR. ARGENIO: You don't know who makes them?

MR. RIEDL: No.

MR. PETRO: A hundred bucks a piece.

MR. RIEDL: They're huge, very expensive and heavy.

MR. PETRO: Thank you very much for coming in. It seems like everything's been resolved.

MR. RIEDL: There's no further incidents with the neighbor.

MR. BABCOCK: We wanted him to come in so the board knows what's going on and we can put a copy of the minutes in his file so there's no question about the height of the retaining wall.

MR. PETRO: The only thing I would suggest is that you get the front curbing in rather quickly because a rain like we had today that water only has one place to go and that's into your neighbor's culvert.

MR. RIEDL: Will do, very good. Thank you.



MEADOWBROOK ESTATES

MR. PETRO: Meadowbrook Estates. Chairman Petro and Board Members: I'm writing on behalf of Landmaster Community Land Development. The applicant formerly requests the planning board grant a second extension of the preliminary approval for the above-referenced subdivision. John C. Cappello.

MR. LANDER: Are they moving forward?

MR. BABCOCK: They're dealing with Cornwall and New Windsor, that's the holdup, so they have to go back to Cornwall and as we know, the agreements with water and sewer have to be between the two municipalities. So they have to form districts in Cornwall and there's no water and sewer districts in Cornwall in that area so all the water and sewer for the houses in Cornwall will come to New Windsor so that's all, the agreements have to be worked out, that's what they're doing.

MR. PETRO: Entertain a motion for six month extension.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant 6 month extension to the Meadowbrook Estates. Any further discussion from the board members? If not, roll call. Myra work out the dates.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

59 WINDSOR HIGHWAY (CONTINUED)

MR. STRAUS: If I can ask one quick question. As you probably know every week that we're in the existing space we're in Newburgh right now is pretty painful, we're busting at the seams. I'm not sure what the right terminology is but is there any type of permit or some way that we can start the process of getting going with the construction or the demolition?

MR. BABCOCK: Actually demolition I told him that they should ask the board, it's not a problem with me to go inside the building and take out what they don't need, take down the greenhouses that aren't down. I think that one greenhouse is down?

MR. STRAUS: There's one greenhouse left.

MR. LANDER: You own this property?

MR. STRAUS: Yes, we do.

MR. LANDER: I don't have a problem with it.

MR. PETRO: I would say this, you can do that, you can work it out with the building department. In no way does that have any reflection on the planning board, if you go through this process and you're unsuccessful for some reason, there's no recourse to us or the Town of New Windsor.

MR. STRAUS: Thank you.

MR. KRIEGER: You're on your own. Good luck.

MR. PETRO: Good luck to you.

DISCUSSION

HANDYMAN RENTALS

MR. LANDER: Handyman Rentals, I see they're using another access or exit for this site down there on 300 and next to Joe Bonura's place that was only supposed to be used for that side of that property was only supposed to be used for exhibiting their wares, their machines.

MR. BABCOCK: There's a curb cut there.

MR. LANDER: There's a curb cut there but if you go back in your memory banks Henry Van Leeuwen was very adamant about not using that, not paving it, not using it.

MR. BABCOCK: Yeah, it's new pavement.

MR. SCHLESINGER: Made like a circular.

MR. BABCOCK: Right in the front parking lot where they park.

MR. LANDER: If you look at the minutes, you'll see where it reflects that piece is not supposed to be used only for display, if they came back in and talked to somebody whether it be the building department or this board, then they can go ahead and do what they did.

MR. PETRO: I guess we're going to have to look at it, ask them to appear before the board, I'm not saying we're against it because it is very difficult to get out on 300, it might be better but they should at least ask or maybe somebody took over and was unaware of it.

MR. LANDER: But it was supposed to be for display only.

MR. PETRO: You have nothing to do tomorrow, right?

MR. BABCOCK: No, I'll take care of it.

MR. LANDER: That's the only thing I had.

MR. PETRO: Good observation.

MR. SCHLESINGER: Good memory.

MR. LANDER: Henry Van Leeuwen made it very, very clear nothing, display only and I don't know the reason for it.

MR. SCHLESINGER: Nothing.

BILL HELMER

MR. KARNAVEZOS: I just have one, Bill Helmer's property with the buses, he told us he was going to have what, 8, 10 buses up there and he's got about 50, 60 buses.

MR. LANDER: Eight, ten dozen he meant.

MR. KARNAVEZOS: I don't know if we misunderstood eight or ten dozen, like you said.

MR. LANDER: They're not the same buses, they keep moving in and out.

MR. KARNAVEZOS: He's got to put up some kind of privacy fence or something to, I mean, you come driving by and it's this big sheet of yellow that sits out there and if I remember correctly, I think he said eight, ten buses.

MR. PETRO: What about that, Mike?

MR. BABCOCK: I don't know whether there was a number thrown out or not, but I can check and we'll ask him to come back in front of the board.

MR. SCHLESINGER: Wasn't there an issue they weren't allowed to do what they were doing there?

MR. PETRO: Mechanical they need a license.

MR. SCHLESINGER: Whatever happened with that?

MR. BABCOCK: We won't give him a letter, this board told him he'd have to go to the ZBA, get a use variance so we just won't give him a letter to do repairs there, they have to, there's, as you know, Gene Hecht was in here recently, we give him approval to sell trailers there but he could not fix them and Motor Vehicle says

you can't sell a trailer without fixing it so that's basically what they're going through, they buy these buses, I don't know where they come from, and they bring them in, they sell them to the local bus companies, what I understand is they put seat belts in them, I don't know that I call that a repair but I guess it is. So right now they're working out of their Haverstraw license which if Motor Vehicles writes me a letter I won't respond to them. So then that's going to be a problem for them. But I will have Mr. Helmer or somebody come to this board if you'd like to talk to them.

MR. ARGENIO: Check and see, there was a number.

MR. PETRO: Get a site plan out.

MR. BABCOCK: There was no site plan, he came in for a discussion, said he wanted to park the buses there, make a little parking lot on the side.

MR. SCHLESINGER: Who owns all the property?

MR. BABCOCK: He does, he owns the whole thing.

MR. PETRO: Maybe if he's going to park them, might not be a problem if he puts up some privacy or screening.

MR. LANDER: Also, Mike, talking about Mr. Helmer, we might as well, the former Sloan building, when is he going to do the rest of that? There was supposed to be landscaping in the planters out on the side because he added the parking with curbs and everything else, he did the curbs, supposedly did the blacktop, probably did it himself, but never did any landscaping. I'm sure there was something in there, at least he can backfill it, make it look like he's finished.

MR. ARGENIO: Whose property?

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MR. LANDER: Bill Helmer's.

CASEY MANNS

MR. SCHLESINGER: I understand that the Casey Manns' property outside by the airport where all the wrecks are in front of the house, I understand he was summoned for that?

MR. BABCOCK: Yes.

MR. PETRO: Tom, you're done, correct?

MR. KARNAVEZOS: Yes.

MR. ARGENIO: No, I have nothing.

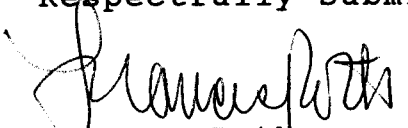
MR. ARGENIO: Motion to adjourn.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

Respectfully Submitted By:

  
Frances Roth  
Stenographer

8/12/04